

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION**

WENDELL E. BOYD, JR.,)	
)	
Plaintiff,)	
)	
v.)	No. 1:14-cv-00146
)	Senior Judge Haynes
)	
REED LANDSCAPING, INC.,)	
)	
Defendant.)	

O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Docket Entry No. 63) recommending that Plaintiff's motion for partial summary judgment be denied due to material factual disputes, to which Plaintiff filed objections. In his objections, Plaintiff asserts that the proof establishes the Defendant's liability under the Fair Labor Standards Act ("FLSA"), 39 U.S.C. § 201 et seq. (Docket Entry No. 64). In its response, the Defendant admits its liability under the FLSA that Plaintiff is entitled to overtime compensation. (Docket Entry No. 67 at 1).

Upon de novo review, the Report and Recommendation is **ADOPTED in part** and **SET ASIDE in part**. The Plaintiff's motion for partial summary judgment (Docket Entry No. 51) is **GRANTED** on the Defendant's liability for Plaintiff's FLSA claim for overtime compensation, but the motion is otherwise **DENIED**.

It is so **ORDERED**.

ENTERED this the 27th day of September, 2016.



WILLIAM J. HAYNES, JR.
Senior United States District Judge